

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

United States of America)	
)	Cr. No. 6:02-1358-HMH
vs.)	
)	
Curtis A. Beasley,)	
)	OPINION & ORDER
Movant.)	

This matter is before the court on Curtis A. Beasley’s (“Beasley”) motion for reconsideration of the court’s September 19, 2007, order denying Beasley’s motion for a new trial. Beasley filed his motion for reconsideration on September 28, 2007,¹ and simultaneously filed a notice of appeal. At the time, there were no other pending motions before the court. Therefore, “[b]ecause the . . . court’s judgment was final, when the notice of appeal was filed it divested the . . . court of its jurisdiction over the case and conferred jurisdiction upon [the United States Court of Appeals for the Fourth Circuit].” United States v. Christy, 3 F.3d 765, 767 (4th Cir. 1993). Based on the foregoing, Beasley’s motion for reconsideration is denied.

¹ See Houston v. Lack, 487 U.S. 266 (1988).

Therefore, it is

ORDERED that Beasley's motion for reconsideration, document number 570, is denied.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
October 9, 2007

NOTICE OF RIGHT TO APPEAL

The movant is hereby notified that he has the right to appeal this order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.